

Whereas, Cassie Shaw has demonstrated a commitment to meet challenges with enthusiasm, confidence and outstanding service; and

Whereas, Cassie Shaw must be commended for the hard work and dedication she put forth in earning the Girl Scout Gold Award;

Therefore, I join with the Girl Scouts, the residents of Kingston and the entire 18th Congressional District in congratulating Cassie Shaw as she receives the Girl Scout Gold Award.

CONSTITUTIONAL AMENDMENT  
AUTHORIZING CONGRESS TO  
PROHIBIT PHYSICAL DESECRATION  
OF THE FLAG OF THE  
UNITED STATES

**HON. TOM UDALL**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 4, 2003*

Mr. UDALL of New Mexico. Mr. Speaker, I rise today in opposition to H.J. Res. 4, the proposed amendment to the Constitution to prohibit the physical desecration of the United States flag. I respect our flag, what it stands for, and personally deplore acts of desecration against the flag. However, I believe that our commitment to respecting our flag while preserving our fundamental freedoms, as symbolized by our flag and embodied in the Constitution and Bill of Rights, can be met without amending the Constitution.

Many Members of Congress see continued tension between "free speech" decisions of the Supreme Court, which protect flag desecration as an expression of first amendment speech, and the symbolic significance of the United States flag. Consequently, every Congress that has convened since those decisions were issued has considered possible measures to permit the punishment of those who engage in flag desecration. However, the amendment offered today by the majority would diminish the First Amendment's guarantee of freedom of expression, one of our most fundamental guarantees of the Bill of Rights.

Amending the U.S. Constitution is necessarily and understandably a rigorous task. To become the law of the land, the flag desecration amendment would have to get the approval of two-thirds of both chambers of Congress and then be ratified by three quarters of the state legislatures. The fact that only 27 amendments, including the Bill of Rights, the civil rights amendments, and women's suffrage, have been made to the Constitution in the past 200 years illuminates the infrequency of such legislative initiatives. Moreover, since its ratification in 1791, the Bill of Rights has not been altered in any manner. Consequently, I believe that passage of such an amendment would set a dangerous precedent for further erosion of our constitutional rights and freedoms.

Not only is amending the Constitution a task that must not be taken lightly, we must be absolutely sure that it is necessary. In this case, I am not convinced that the requisite level of necessity has been met. For example, flag burning is an exceedingly rare occurrence—since the Supreme Court's free speech, flag desecration decisions, fewer than 10 flag

burning incidents have been reported each year.

Considering this, I believe that amending the Constitution to address the shameful conduct of such a minute portion of our general populace is simply unnecessary. This conviction is generally supported by a letter sent to Senator PATRICK LEAHY in May 1999, in which General Colin Powell, now Secretary of State, wrote that "The First Amendment exists to insure that freedom of speech and expression applies not just to that with which we agree or disagree, but also that which we find outrageous. I would not amend that great shield of democracy to hammer a few miscreants. The flag will be flying proudly long after they have slunk away." Secretary Powell, one of our most noted patriots and war heroes, obviously believes that diminishing our First Amendment rights is not the solution to the perceived problem at hand.

Taking into account the infrequency of flag desecration, as noted by Secretary of State Powell, I question today what it is that we are trying to regulate: is it the act of physical desecration itself or rather the sentiment behind the action? I believe that H.J. Res. 4 would affectively and severely abridge our rights of free expression. As such, I will oppose passage of this proposed constitutional amendment.

TRIBUTE TO MR. JACOB HOFFMAN

**HON. ROBERT A. BRADY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 4, 2003*

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor a respected member of the Philadelphia community. Mr. Jacob Hoffman is turning 100 years young.

Mr. Hoffman, a resident of Brith Shalom House, will celebrate his 100th birthday this July 2, 2003. A retired real estate broker and developer, Mr. Hoffman is well regarded in the real estate community. He served on the Philadelphia Board of Realtors and was a founder of the south Philadelphia Realty Board in 1929.

Mr. Hoffman has remained very active in Jewish circles. He received a citation for being a member of B'nai B'rith for over 50 years. He is the oldest board member of Har Zion Temple and is also a member of the Lions Club.

Along with his two daughters, three grandchildren, and two great grandchildren, I ask that you and my other distinguished colleagues join me in congratulating Mr. Jacob Hoffman during his 100th birthday celebration.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 5, 2003 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 6

9:30 a.m.

Judiciary

To hold hearings to examine the nomination of Eduardo Aguirre, Jr., of Texas, to be Director of the Bureau of Citizenship and Immigration Services, Department of Homeland Security.

SD-226

10 a.m.

Finance

To hold hearings to examine issues related to strengthening and improving Medicare.

SD-215

JUNE 10

9:30 a.m.

Armed Services

To hold closed hearings to examine certain intelligence programs.

S-407, Capitol

Commerce, Science, and Transportation

To hold hearings to examine reauthorization of the Federal Motor Carrier Safety Administration.

SR-253

Governmental Affairs

To hold hearings to examine castaway children, focusing on whether parents must relinquish custody in order to secure mental health services for their children.

SD-342

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the reauthorization of the Federal Public Transportation Assistance Program.

SD-538

Environment and Public Works

Fisheries, Wildlife, and Water Subcommittee

To hold hearings to examine the current regulatory and legal status of federal jurisdiction of navigable waters under the Clean Water Act, focusing on issues raised by the Supreme Court in *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers* No. 99-1178.

SD-406

2 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine internally displaced persons in the Caucasus Region and Southeastern Anatolia.

334, Cannon Building

2:30 p.m.

Energy and Natural Resources

National Parks Subcommittee

To hold hearings to examine S. 499, to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers, S. 546, to provide for the protection of paleontological resources on Federal lands, S. 643, to authorize the Secretary of the Interior, in cooperation with the University of New Mexico, to construct

and occupy a portion of the Hibben Center for Archaeological Research at the University of New Mexico, S. 677, to revise the boundary of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area in the State of Colorado, S. 1060 and H.R. 1577, bills to designate the visitor center in Organ Pipe National Monument in Arizona as the "Kris Eggle Visitor Center", H.R. 255, to authorize the Secretary of the Interior to grant an easement to facilitate access to the Lewis and Clark Interpretative Center in Nebraska City, Nebraska, and H.R. 1012, to establish the Carter G. Woodson Home National Historic Site in the District of Columbia.

SD-366

## JUNE 11

9 a.m.  
Governmental Affairs  
Investigations Subcommittee  
To hold hearings to examine patient safety, focusing on instilling hospitals with a culture of continuous improvement.

SD-342

9:30 a.m.  
Judiciary  
To hold hearings to examine the nominations of William H. Pryor, Jr., of Alabama, to be United States Circuit Judge for the Eleventh Circuit, and Diane M. Stuart, of Utah, to be Director of the Violence Against Women Office, Department of Justice.

SD-266

10 a.m.  
Health, Education, Labor, and Pensions  
Business meeting to consider pending calendar business.

SD-430

Indian Affairs  
To hold hearings to examine S. 1146, to implement the recommendations of the Garrison Unit Tribal Advisory Committee by providing authorization for the construction of a rural health care facility on the Fort Berthold Indian Reservation, North Dakota, and the nomination of Charles W. Grim, of Oklahoma, to be Director of the Indian Health Service, Department of Health and Human Services.

SR-485

2 p.m.  
Judiciary  
To hold hearings to examine P2P file-sharing networks, focusing on personal and national security risks.

SD-226

2:30 p.m.  
Commerce, Science, and Transportation  
Competition, Foreign Commerce, and Infrastructure Subcommittee  
To hold hearings to examine reauthorization of the Federal Trade Commission.

SR-253

## JUNE 12

9:30 a.m.  
Commerce, Science, and Transportation  
To hold hearings to examine global overfishing.

SR-253

Foreign Relations  
To hold hearings to examine repercussions of Iraq stabilization and reconstruction policies.

SD-419

10 a.m.  
Agriculture, Nutrition, and Forestry  
To hold hearings to examine the Department of Agriculture's implementation of the Agricultural Risk Protection Act of 2000 and related crop insurance issues.

SR-328A

Health, Education, Labor, and Pensions  
To hold hearings to examine private sector lessons for Medicare.

SD-430

2 p.m.  
Health, Education, Labor, and Pensions  
To hold hearings to examine certain issues relative to TWA.

Room to be announced

2:30 p.m.  
Energy and Natural Resources  
Public Lands and Forests Subcommittee

To hold hearings to examine S. 434, to authorize the Secretary of Agriculture to sell or exchange all or part of certain parcels of National Forest System land in the State of Idaho and use the proceeds derived from the sale or exchange for National Forest System purposes, S. 435, to provide for the conveyance by the Secretary of Agriculture of the Sandpoint Federal Building and adjacent land in Sandpoint, Idaho, S. 490, to direct the Secretary of Agriculture to convey certain land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California, H.R. 762, to amend the Federal Land Policy and Management Act of 1976 and the Mineral Leasing Act to clarify the method by which the Secretary of the Interior and the Secretary of Agriculture determine the fair market value of certain rights-of-way granted, issued, or renewed under these Acts, S. 1111, to provide suitable grazing arrangements on National Forest System land to persons that hold a grazing permit adversely affected by the standards and guidelines contained in the RECORD of Decision of the Sierra Nevada Forest Plan Amendment and pertaining to the Willow Flycatcher and the Yosemite Toad, and H.R. 622, to provide for the exchange of certain lands in the Coconino and Tonto National Forests in Arizona.

SD-366

Commerce, Science, and Transportation  
Science, Technology, and Space Subcommittee  
To hold hearings to examine issues relating to cloning.

SR-253

## JUNE 17

10 a.m.  
Governmental Affairs  
Business meeting to consider pending calendar items.

SD-342

## JUNE 18

9:30 a.m.  
Governmental Affairs  
To hold hearings to examine the nominations of Fern Flanagan Saddler, Judith Nan Macaluso, Joseph Michael Francis Ryan III, and Jerry Stewart Byrd, all of the District of Columbia, each to be an Associate Judge of the Superior Court of the District of Columbia.

SD-342

10 a.m.  
Indian Affairs  
To hold oversight hearings to examine Native American sacred places.

SR-485

## JUNE 19

10 a.m.  
Governmental Affairs  
To hold hearings to conduct an initial review of the ULLICO matter, focusing on self-dealing and breach of duty.

SD-342

## JUNE 24

10 a.m.  
Governmental Affairs  
To hold hearings to examine controlling the cost of Federal Health Programs by curing diabetes, focusing on a case study.

SH-216

## JUNE 25

10 a.m.  
Energy and Natural Resources  
Business meeting to consider pending calendar business.

SD-366

## JUNE 26

9:30 a.m.  
Governmental Affairs  
To hold hearings to examine the need for Federal real property reform, focusing on deteriorating buildings and wasted opportunities.

SD-342

2 p.m.  
Foreign Relations  
To hold hearings to examine the Department of State's Office of Children's Issues, focusing on responding to international parental abduction.

SD-419

## POSTPONEMENTS

## JUNE 10

10 a.m.  
Health, Education, Labor, and Pensions  
To hold hearings to examine the Head Start program.

SD-430